

November 14, 2022

**VIA ECF**

The Honorable Rachel P. Kovner  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *Campos v. Kijakazi*, Case No. 21-cv-05143 (RPK)(VMS)**

Dear Judge Kovner,

We write on behalf of Plaintiffs and Defendant (collectively, “the Parties”) in the above-referenced action to update your Honor on the parties’ ongoing discussions to finalize the settlement in this action.

1. On October 21, 2022, Plaintiffs provided a draft stipulation to Defendant covering the already-negotiated settlement terms regarding class members assessed overpayments from March through September 2020, proposed terms to memorialize Plaintiffs’ earlier proposal regarding class members assessed overpayments after September 2020, and other general settlement terms.
2. On November 2, 2022, Defendant responded with a counterproposal to Plaintiffs’ October 4, 2022 proposal for relief for class members assessed overpayments after September 2020. The parties have reached an agreement in principle for relief for these class members as well; however, the parties continue to discuss the scope and terms of that relief.
3. The Parties attempted in good faith to hold a teleconference during the week of November 7 to discuss the status of settlement; however, due to scheduling issues, the parties held the conference on November 14, 2022.
4. Following the teleconference, the parties have agreed as follows. Plaintiffs will provide clarifying questions regarding SSA’s counterproposal for relief for class members assessed overpayments after September 2020 during the week of November 14. Defendant will make best efforts to respond to these questions, as well as propose any other edits to the draft stipulation, by December 5, 2022.
5. In addition, Defendant continues to make best efforts to (1) inform Plaintiffs of Defendant’s proposed timing for providing relief to class members under the proposed settlement; and (2) identify numerical data demonstrating the scope of the

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relief that will be provided to the class. Defendant will endeavor to provide this information by December 5, as well.

6. The parties agree to have a teleconference on December 8, 2022 to discuss Defendant's revisions to the draft stipulation and otherwise discuss the status of settlement.
7. The Parties continue to endeavor to execute a class-wide stipulation of settlement by no later than December 12, 2022, after which Plaintiffs will submit a motion for preliminary approval of that settlement. In the event the Parties have not reached a final settlement agreement in advance of December 12, 2022, the Parties will submit a further status letter at that time. Depending on the Parties' progress toward a final settlement agreement at that time, Plaintiffs may propose either that the Parties seek the assistance of Magistrate Judge Scanlon, and/or that the Parties commit to weekly meetings until the settlement is finalized.

The Parties thank the Court for its ongoing assistance in this matter.

Respectfully submitted,

/s/ Carmela T. Romeo  
Carmela T. Romeo